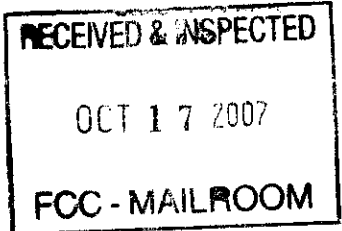


**ORIGINAL**

*Before the*  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554



In the Matter of

Western New Life, Inc.  
Construction Permit for WJZG-FM  
Facility ID: 3250  
Culebra, Puerto Rico

)  
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)  
)  
)

MB Docket No. 91-259

To: Chief, ASD, Media Bureau

**MOTION TO STRIKE**

V.I. Stereo Communications Corp., licensee of FM broadcast station WVIS, Vieques, PR ("WVIS"), by its attorney, herewith submits its MOTION TO STRIKE in connection with the REPLY TO RESPONSE TO REQUEST FOR URGENT ACTION OF ARSO AND OPPOSITION TO NOTICE OF INTENT TO RESPOND OF ARZUAGA filed by Western New Life, Inc. ("Western") in the above-captioned proceeding. In support whereof, the following is stated:

In its original Request for Urgent Action, Western said nothing about any requirements by WVIS to reimburse parties for expenses. Because the Request did not involve WVIS in any active way, WVIS did not respond to the Request. Nevertheless, Western has raised a fundamentally new issue in its Reply relating to whether WVIS should be required to take efforts regarding reimbursement of parties in the referenced rulemaking proceeding prior to commencement of operations.

It is fundamental to due process, as recognized on numerous occasions by the Commission, that a party may not raise new issues in a Reply pleading. In this case, the violation of due process is particularly troublesome since it now appears that Western may

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be using this improper pleading approach as an attempt to delay the initiation of service by WVIS. If that is Western's intent, it should be soundly rebuked by the Commission.

Regardless of intent, the Commission should not permit Western to abuse its procedures in this way. Accordingly, that portion of the pleading (see paras.12-17 and particularly para. 20) pertaining to the imposition of conditions on the WVIS construction permit to relocate to Vieques, should be stricken and given no further consideration by the Commission.

Respectfully submitted,

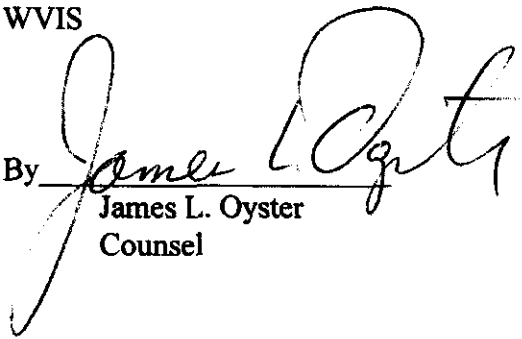
Law Offices  
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Castleton, Virginia 22716-9720

(540) 937-4800

October 11, 2007

WVIS

By

  
James L. Oyster  
Counsel

CERTIFICATE OF SERVICE

James L. Oyster hereby certifies that he has sent a copy of the foregoing pleading by first class U.S. mail, postage prepaid, on or before the 11th day of October, 2007, to the following:

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Audio Division, Media Bureau  
Federal Communications Commission  
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Washington, D.C. 20554

Peter Doyle, Chief  
Audio Division, Media Bureau  
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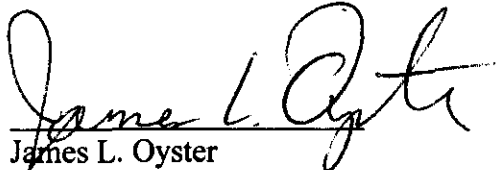
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